

105TH CONGRESS
1ST SESSION

H. R. 1253

To authorize appropriations for the Department of State and related agencies for the fiscal years 1998 and 1999, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 1997

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize appropriations for the Department of State and related agencies for the fiscal years 1998 and 1999, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Relations Au-
5 thorization Act, Fiscal Years 1998 and 1999”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE AND CERTAIN INTERNATIONAL AFFAIRS
FUNCTIONS AND ACTIVITIES

CHAPTER 1—AUTHORIZATIONS OF APPROPRIATIONS

- Sec. 101. Administration of Foreign Affairs.
- Sec. 102. International organizations, programs, and conferences.
- Sec. 103. International Commissions.
- Sec. 104. Migration and refugee assistance.
- Sec. 105. Certain other international affairs programs.
- Sec. 106. United States informational, educational, and cultural programs.
- Sec. 107. United States Arms Control and Disarmament.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND
ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

- Sec. 201. Revision of Department of State rewards program.
- Sec. 202. Consolidation of United States diplomatic missions and consular posts.
- Sec. 203. Capital Investment Fund.
- Sec. 204. Efficiency in procurement.
- Sec. 205. Proceeds of sale of foreign properties.
- Sec. 206. Reduction of reporting.
- Sec. 207. Contracting for local guards services overseas.
- Sec. 208. Preadjudication of claims.
- Sec. 209. Expenses relating to certain international claims and proceedings.
- Sec. 210. Establishment of fee account and providing for passport information services.
- Sec. 211. Establishment of machine readable fee account.
- Sec. 212. Retention of additional defense trade controls registration fees.
- Sec. 213. Training.
- Sec. 214. Recovery of costs of health care services.
- Sec. 215. Fee for use of diplomatic reception rooms.
- Sec. 216. Fees for commercial services.
- Sec. 217. Concerning the use of funds to further normalize relations with Vietnam.
- Sec. 218. Extension of certain adjudication provisions.

CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE

- Sec. 241. Use of certain passport processing fees for enhanced passport services.
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- Sec. 243. Repeal of outdated consular receipt requirements.
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TITLE III—ORGANIZATION OF THE DEPARTMENT OF STATE;
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CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

- Sec. 301. Coordinator for counterterrorism.
- Sec. 302. Elimination of statutory establishment of certain positions of the Department of State.
- Sec. 303. Establishment of Assistant Secretary of State for Human Resources.
- Sec. 304. Establishment of Assistant Secretary of State for Diplomatic Security.
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CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE; THE FOREIGN
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- Sec. 321. Authorized strength of the Foreign Service.
- Sec. 322. Nonovertime differential pay.
- Sec. 323. Authority of Secretary to separate convicted felons from service.
- Sec. 324. Career counseling.

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- Sec. 401. Extension of au pair programs.
- Sec. 402. Retention of interest.
- Sec. 403. Center for Cultural and Technical Interchange Between North and South.
- Sec. 404. Use of English teaching program fees.
- Sec. 405. Law and business training program for graduate students from the Soviet Union, Lithuania, Latvia, and Estonia.
- Sec. 406. Working group on United States Government sponsored international exchanges and training.
- Sec. 407. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
- Sec. 408. Exchange programs in South Africa.

TITLE V—INTERNATIONAL ORGANIZATIONS; UNITED NATIONS
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- Sec. 501. Service in international organizations.

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- Sec. 521. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.

TITLE VI—ARMS CONTROL AND DISARMAMENT AGENCY

- Sec. 601. Comprehensive compilation of arms control and disarmament studies.
- Sec. 602. Use of funds.

TITLE VII—FOREIGN POLICY PROVISIONS

- Sec. 701. United States policy regarding the involuntary return of refugees.
 Sec. 702. United States policy with respect to the involuntary return of persons in danger of subjection to torture.
 Sec. 703. Reports on claims by United States firms against the Government of Saudi Arabia.
 Sec. 704. Human rights reports.
 Sec. 705. Prohibition on funding for coercive population control methods.
 Sec. 706. Reports and policy concerning diplomatic immunity.
 Sec. 707. Congressional statement with respect to efficiency in the conduct of foreign policy.

1 **SEC. 3. DEFINITIONS.**

2 The following terms have the following meaning for
 3 the purposes of this division:

4 (1) The term “AID” means the Agency for
 5 International Development.

6 (2) The term “ACDA” means the United
 7 States Arms Control and Disarmament Agency.

8 (3) The term “appropriate congressional com-
 9 mittees” means the Committee on International Re-
 10 lations of the House of Representatives and the
 11 Committee of Foreign Relations of the Senate.

12 (4) The term “Department” means the Depart-
 13 ment of State.

14 (5) The term “Federal agency” has the mean-
 15 ing given to the term “agency” by section 551(1) of
 16 title 5, United States Code.

17 (6) The term “Secretary” means the Secretary
 18 of State.

1 (7) The term “USIA” means the United States
2 Information Agency.

3 **TITLE I—AUTHORIZATION OF**
4 **APPROPRIATIONS FOR DE-**
5 **PARTMENT OF STATE AND**
6 **CERTAIN INTERNATIONAL AF-**
7 **FAIRS FUNCTIONS AND AC-**
8 **TIVITIES**
9 **CHAPTER 1—AUTHORIZATIONS OF**
10 **APPROPRIATIONS**

11 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**

12 The following amounts are authorized to be appro-
13 priated for the Department of State under “Administra-
14 tion of Foreign Affairs” to carry out the authorities, func-
15 tions, duties, and responsibilities in the conduct of the for-
16 eign affairs of the United States and for other purposes
17 authorized by law, including the diplomatic security pro-
18 gram:

19 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—
20 For “Diplomatic and Consular Programs”, of the
21 Department of State \$1,280,300,000 for the fiscal
22 year 1998 and \$1,291,977,000 for the fiscal year
23 1999.

24 (2) SALARIES AND EXPENSES.—

1 (A) AUTHORIZATION OF APPROPRIA-
2 TIONS.—For “Salaries and Expenses”, of the
3 Department of State \$352,300,000 for the fis-
4 cal year 1998 and \$352,300,000 for the fiscal
5 year 1999.

6 (B) LIMITATIONS.—

7 (i) Of the amounts authorized to be
8 appropriated by subparagraph (A),
9 \$12,000,000 for fiscal year 1998 and
10 \$12,000,000 for fiscal year 1999 are au-
11 thorized to be appropriated for salaries
12 and expenses of the Bureau of Refugee
13 and Migration Assistance.

14 (ii) Of the amounts authorized to be
15 appropriated by subparagraph (A)
16 \$500,000 for fiscal year 1998 and
17 \$500,000 for fiscal year 1999 are author-
18 ized to be appropriated only for the re-
19 cruitment of Hispanic Americans and for
20 the training of Hispanic Americans for ca-
21 reers in the Foreign Service and inter-
22 national affairs.

23 (3) CAPITAL INVESTMENT FUND.—For “Cap-
24 ital Investment Fund”, of the Department of State

1 \$56,000,000 for the fiscal year 1998 and
2 \$56,000,000 for the fiscal year 1999.

3 (4) ACQUISITION AND MAINTENANCE OF BUILD-
4 INGS ABROAD.—For “Acquisition and Maintenance
5 of Buildings Abroad”, \$373,081,000 for the fiscal
6 year 1998 and \$373,081,000 for the fiscal year
7 1999.

8 (5) REPRESENTATION ALLOWANCES.—For
9 “Representation Allowances”, \$4,300,000 for the
10 fiscal year 1998 and \$4,300,000 for the fiscal year
11 1999.

12 (6) EMERGENCIES IN THE DIPLOMATIC AND
13 CONSULAR SERVICE.—For “Emergencies in the Dip-
14 lomatic and Consular Service”, \$5,500,000 for the
15 fiscal 1998 and \$5,500,000 for the fiscal year 1999.

16 (7) OFFICE OF THE INSPECTOR GENERAL.—
17 For “Office of the Inspector General”, \$28,300,000
18 for the fiscal year 1998 and \$28,300,000 for the fis-
19 cal year 1999.

20 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
21 TAIWAN.—For “Payment to the American Institute
22 in Taiwan”, \$14,490,000 for the fiscal year 1998
23 and \$14,490,000 for the fiscal year 1999.

24 (9) PROTECTION OF FOREIGN MISSIONS AND
25 OFFICIALS.—For “Protection of Foreign Missions

1 and Officials”, \$7,900,000 for the fiscal year 1998
 2 and \$7,900,000 for the fiscal year 1999.

3 (10) REPATRIATION LOANS.—For “Repatri-
 4 ation Loans”, \$1,200,000 for the fiscal year 1998
 5 and \$1,200,000 for the fiscal year 1999, for admin-
 6 istrative expenses.

7 **SEC. 102. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**
 8 **AND CONFERENCES.**

9 (a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL
 10 ORGANIZATIONS.—There are authorized to be appro-
 11 priated for “Contributions to International Organiza-
 12 tions”, \$1,014,389,000 for the fiscal year 1998 and
 13 \$987,590,000 for the fiscal year 1999 for the Department
 14 of State to carry out the authorities, functions, duties, and
 15 responsibilities in the conduct of the foreign affairs of the
 16 United States with respect to international organizations
 17 and to carry out other authorities in law consistent with
 18 such purposes.

19 (b) VOLUNTARY CONTRIBUTIONS TO INTER-
 20 NATIONAL ORGANIZATIONS.—

21 (1) AUTHORIZATION OF APPROPRIATIONS.—
 22 There are authorized to be appropriated for “Vol-
 23 untary Contributions to International Organiza-
 24 tions”, \$360,725,000 for the fiscal year 1998 and
 25 \$360,725,000 for the fiscal year 1999.

1 (2) LIMITATIONS.—

2 (A) WORLD FOOD PROGRAM.—Of the
3 amounts authorized to be appropriated under
4 paragraph (1), \$5,000,000 for the fiscal year
5 1998 and \$5,000,000 for the fiscal year 1999
6 are authorized to be appropriated only for a
7 United States contribution to the World Food
8 Program.

9 (B) UNITED NATIONS VOLUNTARY FUND
10 FOR VICTIMS OF TORTURE.—Of the amount au-
11 thorized to be appropriated under paragraph
12 (1), \$3,000,000 for the fiscal year 1998 and
13 \$3,000,000 for the fiscal year 1999 are author-
14 ized to be appropriated only for a United States
15 contribution to the United Nations Voluntary
16 Fund for Victims of Torture.

17 (C) INTERNATIONAL PROGRAM ON THE
18 ELIMINATION OF CHILD LABOR.—Of the
19 amounts authorized to be appropriated under
20 paragraph (1), \$10,000,000 for the fiscal year
21 1998 and \$10,000,000 for the fiscal year 1999
22 are authorized to be appropriated only for a
23 United States contribution to the International
24 Labor Organization for the activities of the

1 International Program on the Elimination of
2 Child Labor.

3 (3) AVAILABILITY OF FUNDS.—Amounts au-
4 thorized to be appropriated under paragraph (1) are
5 authorized to remain available until expended.

6 (c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL
7 PEACEKEEPING ACTIVITIES.—There are authorized to be
8 appropriated for “Contributions for International Peace-
9 keeping Activities”, \$286,000,000 for the fiscal year 1998
10 and \$240,000,000 for the fiscal year 1999 for the Depart-
11 ment of State to carry out the authorities, functions, du-
12 ties, and responsibilities in the conduct of the foreign af-
13 fairs of the United States with respect to international
14 peacekeeping activities and to carry out other authorities
15 in law consistent with such purposes.

16 (d) VOLUNTARY CONTRIBUTIONS TO PEACEKEEPING
17 OPERATIONS.—There are authorized to be appropriated
18 for “Peacekeeping Operations”, \$87,600,000 for the fiscal
19 year 1998 and \$67,000,000 for the fiscal year 1999 for
20 the Department of State to carry out section 551 of Public
21 Law 87–195.

22 (e) INTERNATIONAL CONFERENCES AND CONTIN-
23 GENCIES.—There are authorized to be appropriated for
24 “International Conferences and Contingencies”,
25 \$3,000,000 for the fiscal year 1998 and \$3,000,000 for

1 the fiscal year 1999 for the Department of State to carry
2 out the authorities, functions, duties, and responsibilities
3 in the conduct of the foreign affairs of the United States
4 with respect to international conferences and contin-
5 gencies and to carry out other authorities in law consistent
6 with such purposes.

7 (f) FOREIGN CURRENCY EXCHANGE RATES.—In ad-
8 dition to amounts otherwise authorized to be appropriated
9 by subsections (a) and (b) of this section, there are au-
10 thorized to be appropriated such sums as may be nec-
11 essary for each of the fiscal years 1998 and 1999 to offset
12 adverse fluctuations in foreign currency exchange rates.
13 Amounts appropriated under this subsection shall be avail-
14 able for obligation and expenditure only to the extent that
15 the Director of the Office of Management and Budget de-
16 termines and certifies to Congress that such amounts are
17 necessary due to such fluctuations.

18 (g) LIMITATION ON UNITED STATES VOLUNTARY
19 CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT
20 PROGRAM.—

21 (1) Of the amounts made available for fiscal
22 years 1998 and 1999 for United States voluntary
23 contributions to the United Nations Development
24 Program—

1 (A) not more than \$76,350,000 shall be
2 made available for fiscal year 1998 unless, dur-
3 ing fiscal year 1998, the President submits to
4 the appropriate committees of Congress the cer-
5 tification described in paragraph (2), and

6 (B) not more than \$76,350,000 shall be
7 available for fiscal year 1999 unless, during fis-
8 cal year 1999, the President submits to the ap-
9 propriate committees of Congress the certifi-
10 cation described in paragraph (2).

11 (2) The certification referred to in paragraph
12 (1) is a certification by the President that all pro-
13 grams and activities of the United Nations Develop-
14 ment Program (including United Nations Develop-
15 ment Program—Administered Funds) in Burma—

16 (A) are focused on eliminating human suf-
17 fering and addressing the needs of the poor;

18 (B) are undertaken only through inter-
19 national or private voluntary organizations that
20 have been deemed independent of the State
21 Law and Order Restoration Council (SLORC)
22 by the leadership of the National League for
23 Democracy and the leadership of the National
24 Coalition Government of the Union of Burma;

1 (C) provide no financial, political, or mili-
 2 tary benefit to the SLORC; and

3 (D) are supported by the leadership of the
 4 National League for Democracy and the leader-
 5 ship of the National Coalition Government of
 6 the Union of Burma.

7 **SEC. 103. INTERNATIONAL COMMISSIONS.**

8 The following amounts are authorized to be appro-
 9 priated under “International Commissions” for the De-
 10 partment of State to carry out the authorities, functions,
 11 duties, and responsibilities in the conduct of the foreign
 12 affairs of the United States and for other purposes author-
 13 ized by law:

14 (1) INTERNATIONAL BOUNDARY AND WATER
 15 COMMISSION, UNITED STATES AND MEXICO.—For
 16 “International Boundary and Water Commission,
 17 United States and Mexico”—

18 (A) for “Salaries and Expenses”
 19 \$18,490,000 for the fiscal year 1998 and
 20 \$18,490,000 for the fiscal year 1999; and

21 (B) for “Construction” \$6,493,000 for the
 22 fiscal year 1998 and \$6,493,000 for the fiscal
 23 year 1999.

24 (2) INTERNATIONAL BOUNDARY COMMISSION,
 25 UNITED STATES AND CANADA.—For “International

1 Boundary Commission, United States and Canada”,
 2 \$785,000 for the fiscal year 1998 and \$666,000 for
 3 the fiscal year 1999.

4 (3) INTERNATIONAL JOINT COMMISSION.—For
 5 “International Joint Commission”, \$3,225,000 for
 6 the fiscal year 1998 and \$3,225,000 for the fiscal
 7 year 1999.

8 (4) INTERNATIONAL FISHERIES COMMIS-
 9 SIONS.—For “International Fisheries Commissions”,
 10 \$14,549,000 for the fiscal year 1998 and
 11 \$14,549,000 for the fiscal year 1999.

12 **SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.**

13 (a) MIGRATION AND REFUGEE ASSISTANCE.—There
 14 are authorized to be appropriated for “Migration and Ref-
 15 ugee Assistance” for authorized activities, \$623,000,000
 16 for the fiscal year 1998 and \$623,000,000 for the fiscal
 17 year 1999.

18 (b) REFUGEES RESETTLING IN ISRAEL.—There are
 19 authorized to be appropriated \$80,000,000 for the fiscal
 20 year 1998 and \$80,000,000 for the fiscal year 1999 for
 21 assistance for refugees resettling in Israel from other
 22 countries.

23 (c) HUMANITARIAN ASSISTANCE FOR DISPLACED
 24 BURMESE.—There are authorized to be appropriated
 25 \$1,500,000 for the fiscal year 1998 and \$1,500,000 for

1 the fiscal year 1999 for humanitarian assistance, includ-
2 ing but not limited to food, medicine, clothing, and medi-
3 cal and vocational training to persons displaced as a result
4 of civil conflict in Burma, including persons still within
5 Burma.

6 (d) LIMITATION.—None of the funds authorized to
7 be appropriated by this section are authorized to be appro-
8 priated for salaries and administrative expenses of the Bu-
9 reau of Migration and Refugee Assistance.

10 (e) AVAILABILITY OF FUNDS.—Funds appropriated
11 pursuant to this section are authorized to be available
12 until expended.

13 **SEC. 105. CERTAIN OTHER INTERNATIONAL AFFAIRS PRO-**
14 **GRAMS.**

15 The following amounts are authorized to be appro-
16 priated for the Department of State to carry out the au-
17 thorities, functions, duties, and responsibilities in the con-
18 duct of the foreign affairs of the United States and for
19 other purposes authorized by law:

20 (1) ASIA FOUNDATION.—For “Asia Founda-
21 tion”, \$10,000,000 for the fiscal year 1998 and
22 \$10,000,000 for the fiscal year 1999.

1 **SEC. 106. UNITED STATES INFORMATIONAL, EDUCATIONAL,**
2 **AND CULTURAL PROGRAMS.**

3 The following amounts are authorized to be appro-
4 priated to carry out international information activities
5 and educational and cultural exchange programs under
6 the United States Information and Educational Exchange
7 Act of 1948, the Mutual Educational and Cultural Ex-
8 change Act of 1961, Reorganization Plan Number 2 of
9 1977, the United States International Broadcasting Act
10 of 1994, the Radio Broadcasting to Cuba Act, the Tele-
11 vision Broadcasting to Cuba Act, the Board for Inter-
12 national Broadcasting Act, the North/South Center Act of
13 1991, the National Endowment for Democracy Act, and
14 to carry out other authorities in law consistent with such
15 purposes:

16 (1) **SALARIES AND EXPENSES.**—For “Salaries
17 and Expenses”, \$434,097,000 for the fiscal year
18 1998 and \$434,097,000 for the fiscal year 1999.

19 (2) **TECHNOLOGY FUND.**—For “Technology
20 Fund” for the United States Information Agency,
21 \$6,350,000 for the fiscal year 1998 and \$6,350,000
22 for the fiscal year 1999.

23 (3) **EDUCATIONAL AND CULTURAL EXCHANGE**
24 **PROGRAMS.**—

25 (A) **FULBRIGHT ACADEMIC EXCHANGE**
26 **PROGRAMS.**—For the “Fulbright Academic Ex-

1 change Programs”, \$94,236,000 for the fiscal
2 year 1998 and \$94,236,000 for the fiscal year
3 1999.

4 (B) SOUTH PACIFIC EXCHANGES.—For the
5 “South Pacific Exchanges”, \$500,000 for the
6 fiscal year 1998 and \$500,000 for the fiscal
7 year 1999.

8 (C) EAST TIMORESE SCHOLARSHIPS.—For
9 the “East Timorese Scholarships”, \$500,000
10 for the fiscal year 1998 and \$500,000 for the
11 fiscal year 1999.

12 (D) TIBETAN EXCHANGES.—For the
13 “Educational and Cultural Exchanges with
14 Tibet” under section 236 of the Foreign Rela-
15 tions Authorization Act, Fiscal Years 1994 and
16 1995 (Public Law 103–236), \$500,000 for the
17 fiscal year 1998 and \$500,000 for the fiscal
18 year 1999.

19 (E) OTHER PROGRAMS.—For “Hubert H.
20 Humphrey Fellowship Program”, “Edmund S.
21 Muskie Fellowship Program”, “International
22 Visitors Program”, “Mike Mansfield Fellowship
23 Program”, “Claude and Mildred Pepper Schol-
24 arship Program of the Washington Workshops
25 Foundation”, “Citizen Exchange Programs”,

1 “Congress-Bundestag Exchange Program”,
2 “Newly Independent States and Eastern Eu-
3 rope Training”, and “Institute for Representa-
4 tive Government”, \$97,995,000 for the fiscal
5 year 1998 and \$97,995,000 for the fiscal year
6 1999.

7 (4) INTERNATIONAL BROADCASTING ACTIVI-
8 TIES.—

9 (A) AUTHORIZATION OF APPROPRIA-
10 TIONS.—For “International Broadcasting Ac-
11 tivities”, \$334,655,000 for the fiscal year 1998,
12 and \$334,655,000 for the fiscal year 1999.

13 (B) ALLOCATION.—Of the amounts au-
14 thorized to be appropriated under subparagraph
15 (A), the Director of the United States Informa-
16 tion Agency and the Board of Broadcasting
17 Governors shall seek to ensure that the
18 amounts made available for broadcasting to na-
19 tions whose people do not fully enjoy freedom of
20 expression do not decline in proportion to the
21 amounts made available for broadcasting to
22 other nations.

23 (5) RADIO CONSTRUCTION.—For “Radio Con-
24 struction”, \$30,000,000 for the fiscal year 1998,
25 and \$30,000,000 for the fiscal year 1999.

1 (6) RADIO FREE ASIA.—For “Radio Free
2 Asia”, \$10,000,000 for the fiscal year 1998 and
3 \$10,000,000 for the fiscal year 1999.

4 (7) BROADCASTING TO CUBA.—For “Broad-
5 casting to Cuba”, \$22,095,000 for the fiscal year
6 1998 and \$22,095,000 for the fiscal year 1999.

7 (8) CENTER FOR CULTURAL AND TECHNICAL
8 INTERCHANGE BETWEEN EAST AND WEST.—For
9 “Center for Cultural and Technical Interchange be-
10 tween East and West”, \$10,000,000 for the fiscal
11 year 1998 and \$10,000,000 for the fiscal year 1999.

12 (9) NATIONAL ENDOWMENT FOR DEMOC-
13 RACY.—For “National Endowment for Democracy”,
14 \$30,000,000 for the fiscal year 1998 and
15 \$30,000,000 for the fiscal year 1999.

16 (10) CENTER FOR CULTURAL AND TECHNICAL
17 INTERCHANGE BETWEEN NORTH AND SOUTH.—For
18 “Center for Cultural and Technical Interchange be-
19 tween North and South” \$2,000,000 for the fiscal
20 year 1998 and \$2,000,000 for the fiscal year 1999.

21 **SEC. 107. UNITED STATES ARMS CONTROL AND DISAR-**
22 **MAMENT.**

23 There are authorized to be appropriated to carry out
24 the purposes of the Arms Control and Disarmament Act—

1 (1) \$41,500,000 for the fiscal year 1998 and
2 \$41,500,000 for the fiscal year 1999; and

3 (2) such sums as may be necessary for each of
4 the fiscal years 1998 and 1999 for increases in sal-
5 ary, pay, retirement, other employee benefits author-
6 ized by law, and to offset adverse fluctuations in for-
7 eign currency exchange rates.

8 **TITLE II—DEPARTMENT OF**
9 **STATE AUTHORITIES AND AC-**
10 **TIVITIES**

11 **CHAPTER 1—AUTHORITIES AND**
12 **ACTIVITIES**

13 **SEC. 201. REVISION OF DEPARTMENT OF STATE REWARDS**
14 **PROGRAM.**

15 (a) IN GENERAL.—Section 36 of the State Depart-
16 ment Basic Authorities Act of 1956 (22 U.S.C. 2708) is
17 amended to read as follows:

18 **“SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.**

19 “(a) ESTABLISHMENT.—(1) There is established a
20 program for the payment of rewards to carry out the pur-
21 poses of this section.

22 “(2) The rewards program established by this section
23 shall be administered by the Secretary of State, in con-
24 sultation, where appropriate, with the Attorney General.

1 “(b) PURPOSE.—(1) The rewards program estab-
2 lished by this section shall be designed to assist in the
3 prevention of acts of international terrorism, international
4 narcotics trafficking, and other related criminal acts.

5 “(2) At the sole discretion of the Secretary of State
6 and in consultation, as appropriate, with the Attorney
7 General, the Secretary may pay a reward to any individual
8 who furnishes information leading to—

9 “(A) the arrest or conviction in any country of
10 any individual for the commission of an act of inter-
11 national terrorism against a United States person or
12 United States property;

13 “(B) the arrest or conviction in any country of
14 any individual conspiring or attempting to commit
15 an act of international terrorism against a United
16 States person or United States property;

17 “(C) the arrest or conviction in any country of
18 any individual for committing, primarily outside the
19 territorial jurisdiction of the United States, any nar-
20 cotics-related offense if that offense involves or is a
21 significant part of conduct that involves—

22 “(i) a violation of United States narcotics
23 laws and which is such that the individual
24 would be a major violator of such laws; or

25 “(ii) the killing or kidnapping of—

1 “(I) any officer, employee, or contract
2 employee of the United States Government
3 while such individual is engaged in official
4 duties, or on account of that individual’s
5 official duties, in connection with the en-
6 forcement of United States narcotics laws
7 or the implementing of United States nar-
8 cotics control objectives; or

9 “(II) a member of the immediate fam-
10 ily of any such individual on account of
11 that individual’s official duties, in connec-
12 tion with the enforcement of United States
13 narcotics laws or the implementing of
14 United States narcotics control objectives;
15 or

16 “(iii) an attempt or conspiracy to commit
17 any of the acts described in clause (i) or (ii);
18 or

19 “(D) the arrest or conviction in any country of
20 any individual aiding or abetting in the commission
21 of an act described in subparagraphs (A) through
22 (C); or

23 “(E) the prevention, frustration, or favorable
24 resolution of an act described in subparagraphs (A)
25 through (C).

1 “(c) COORDINATION.—(1) To ensure that the pay-
2 ment of rewards pursuant to this section does not dupli-
3 cate or interfere with the payment of informants or the
4 obtaining of evidence or information, as authorized to the
5 Department of Justice, the offering, administration, and
6 payment of rewards under this section, including proce-
7 dures for—

8 “(A) identifying individuals, organizations, and
9 offenses with respect to which rewards will be of-
10 fered;

11 “(B) the publication of rewards;

12 “(C) offering of joint rewards with foreign gov-
13 ernments;

14 “(D) the receipt and analysis of data; and

15 “(E) the payment and approval of payment,
16 shall be governed by procedures developed by the Sec-
17 retary of State, in consultation with the Attorney General.

18 “(2) Before making a reward under this section in
19 a matter over which there is Federal criminal jurisdiction,
20 the Secretary of State shall advise and consult with the
21 Attorney General.

22 “(d) FUNDING.—(1) There is authorized to be appro-
23 priated to the Department of State from time to time such
24 amounts as may be necessary to carry out the purposes
25 of this section, notwithstanding section 102 of the Foreign

1 Relations Authorization Act, Fiscal Years 1986 and 1987
2 (Public Law 99–93).

3 “(2) No amount of funds may be appropriated which,
4 when added to the amounts previously appropriated but
5 not yet obligated, would cause such amounts to exceed
6 \$15,000,000.

7 “(3) To the maximum extent practicable, funds made
8 available to carry out this section should be distributed
9 equally for the purpose of preventing acts of international
10 terrorism and for the purpose of preventing international
11 narcotics trafficking.

12 “(4) Amounts appropriated to carry out the purposes
13 of this section shall remain available until expended.

14 “(e) LIMITATION AND CERTIFICATION.—(1) A re-
15 ward under this section may not exceed \$2,000,000.

16 “(2) A reward under this section of more than
17 \$100,000 may not be made without the approval of the
18 President or the Secretary of State.

19 “(3) Any reward granted under this section shall be
20 approved and certified for payment by the Secretary of
21 State.

22 “(4) The authority of paragraph (2) may not be dele-
23 gated to any other officer or employee of the United States
24 Government.

1 “(5) If the Secretary determines that the identity of
2 the recipient of a reward or of the members of the recipi-
3 ent’s immediate family must be protected, the Secretary
4 may take such measures in connection with the payment
5 of the reward as he considers necessary to effect such pro-
6 tection.

7 “(f) INELIGIBILITY.—An officer or employee of any
8 governmental entity who, while in the performance of his
9 or her official duties, furnishes information described in
10 subsection (b) shall not be eligible for a reward under this
11 section.

12 “(g) REPORTS.—(1) Not later than 30 days after
13 paying any reward under this section, the Secretary of
14 State shall submit a report to the appropriate congres-
15 sional committees with respect to such reward. The report,
16 which may be submitted on a classified basis if necessary,
17 shall specify the amount of the reward paid, to whom the
18 reward was paid, and the acts with respect to which the
19 reward was paid. The report shall also discuss the signifi-
20 cance of the information for which the reward was paid
21 in dealing with those acts.

22 “(2) Not later than 60 days after the end of each
23 fiscal year, the Secretary of State shall submit an annual
24 report to the appropriate congressional committees with
25 respect to the operation of the rewards program author-

1 ized by this section. Such report shall provide information
 2 on the total amounts expended during such fiscal year to
 3 carry out the purposes of this section, including amounts
 4 spent to publicize the availability of rewards.

5 “(h) PUBLICATION REGARDING REWARDS OFFERED
 6 BY FOREIGN GOVERNMENTS.—Notwithstanding any other
 7 provision of this section, at the sole discretion of the Sec-
 8 retary of State the resources of the rewards program au-
 9 thorized by this section, shall be available for the publica-
 10 tion of rewards offered by foreign governments regarding
 11 acts of international terrorism which do not involve United
 12 States persons or property or a violation of the narcotics
 13 laws of the United States.

14 “(i) DEFINITIONS.—As used in this section—

15 “(1) the term ‘appropriate congressional com-
 16 mittees’ means the Committee on International Re-
 17 lations of the House of Representatives and the
 18 Committee on Foreign Relations of the Senate;

19 “(2) the term ‘act of international terrorism’ in-
 20 cludes, but is not limited to—

21 “(A) any act substantially contributing to
 22 the acquisition of unsafeguarded special nuclear
 23 material (as defined in section 830(8) of the
 24 Nuclear Proliferation Prevention Act of 1994)
 25 or any nuclear explosive device (as defined in

1 section 830(4) of that Act) by an individual,
2 group, or non-nuclear weapon state (as defined
3 in section 830(5) of that Act); and

4 “(B) any act, as determined by the Sec-
5 retary of State, which materially supports the
6 conduct of international terrorism, including the
7 counterfeiting of United States currency or the
8 illegal use of other monetary instruments by an
9 individual, group, or country supporting inter-
10 national terrorism as determined for purposes
11 of section 6(j) of the Export Administration Act
12 of 1979;

13 “(3) the term ‘United States narcotics laws’
14 means the laws of the United States for the preven-
15 tion and control of illicit traffic in controlled sub-
16 stances (as such term is defined for purposes of the
17 Controlled Substances Act); and

18 “(4) the term ‘member of the immediate family’
19 includes—

20 “(A) a spouse, parent, brother, sister, or
21 child of the individual;

22 “(B) a person to whom the individual
23 stands in loco parentis; and

1 “(C) any other person living in the individ-
2 ual’s household and related to the individual by
3 blood or marriage.

4 “(j) DETERMINATIONS OF THE SECRETARY.—A de-
5 termination made by the Secretary of State under this sec-
6 tion shall be final and conclusive and shall not be subject
7 to judicial review.”.

8 (b) SENSE OF CONGRESS.—It is the sense of the
9 Congress that the Secretary of State should pursue addi-
10 tional means of funding the program established by sec-
11 tion 36 of the State Department Basic Authorities Act
12 of 1956 (22 U.S.C. 2708), including the authority to seize
13 and dispose of assets used in the commission of any of-
14 fense under sections 1028, 1541 through 1544, and 1546
15 of title 18, United States Code, and to retain the proceeds
16 derived from the disposition of such assets, or to partici-
17 pate in asset sharing programs conducted by the Depart-
18 ment of Justice, to carry out the purposes of section 36
19 of that Act.

20 (c) USE OF EARNINGS FROM FROZEN ASSETS FOR
21 PROGRAM.—

22 (1) AMOUNTS TO BE MADE AVAILABLE.—Up to
23 2 percent of the earnings accruing, during periods
24 beginning October 1, 1998, on all assets of foreign
25 countries blocked by the President pursuant to the

1 International Emergency Powers Act (50 U.S.C.
2 1701 and following) shall be available, subject to ap-
3 propriations Acts, to carry out section 36 of the
4 State Department Basic Authorities Act, as amend-
5 ed by this section, except that the limitation con-
6 tained in subsection (d)(2) of such section shall not
7 apply to amounts made available under this para-
8 graph.

9 (2) CONTROL OF FUNDS BY THE PRESIDENT.—

10 The President is authorized and directed to take
11 possession and exercise full control of so much of the
12 earnings described in paragraph (1) as are made
13 available under such paragraph.

14 **SEC. 202. CONSOLIDATION OF UNITED STATES DIPLOMATIC**
15 **MISSIONS AND CONSULAR POSTS.**

16 (a) CONSOLIDATION PLAN.—The Secretary of State
17 shall develop a worldwide plan for the consolidation, wher-
18 ever practicable, on a regional or areawide basis, of United
19 States missions and consular posts abroad.

20 (b) CONTENTS OF PLAN.—The plan shall—

21 (1) identify specific United States diplomatic
22 missions and consular posts for consolidation;

23 (2) identify those missions and posts at which
24 the resident ambassador would also be accredited to
25 other specified states in which the United States ei-

1 ther maintained no resident official presence or
2 maintained such a presence only at staff level; and

3 (3) provide an estimate of—

4 (A) the amount by which expenditures
5 would be reduced through the reduction in the
6 number of United States Government personnel
7 assigned abroad;

8 (B) the reduction in the costs of maintain-
9 ing United States properties abroad; and

10 (C) the amount of revenues generated to
11 the United States through the sale or other dis-
12 position of United States properties associated
13 with the posts to be consolidated abroad.

14 (c) TRANSMITTAL.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary of
16 State shall transmit a copy of the plan to the appropriate
17 congressional committees.

18 **SEC. 203. CAPITAL INVESTMENT FUND.**

19 Section 135 of the Foreign Relations Authorization
20 Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2684a) is
21 amended—

22 (1) in subsection (a) by inserting “and enhance-
23 ment” after “procurement”;

24 (2) in subsection (c) by striking “are authorized
25 to” and inserting “shall”;

1 (3) in subsection (d) by striking “for expendi-
 2 ture to procure capital equipment and information
 3 technology” and inserting in lieu thereof “for pur-
 4 poses of subsection (a)”;

5 (4) by amending subsection (e) to read as fol-
 6 lows:

7 “(e) REPROGRAMMING PROCEDURES.—Funds cred-
 8 ited to the Capital Investment Fund shall not be available
 9 for obligation or expenditure except in compliance with the
 10 procedures applicable to reprogrammings under section 34
 11 of the State Department Basic Authorities Act of 1956
 12 (22 U.S.C. 2710).”.

13 **SEC. 204. EFFICIENCY IN PROCUREMENT.**

14 (a) IN GENERAL.—To the maximum extent prac-
 15 ticable, United States Government agencies performing
 16 functions at diplomatic and consular posts abroad shall
 17 avoid duplicative acquisition actions.

18 (b) AUTHORITY.—Notwithstanding any other provi-
 19 sion of law, a contract awarded using full and open com-
 20 petition, or using maximum practicable competition if
 21 under the simplified acquisition threshold, or under the
 22 commercial item simplified procedures threshold in section
 23 4202 of the Clinger-Cohen Act of 1996, by an agency of
 24 the United States Government performing functions at
 25 diplomatic and consular posts abroad, may be amended

1 without competition to permit other United States Govern-
 2 ment agencies at diplomatic and consular posts abroad to
 3 obtain goods or services under such contract if neither
 4 unit prices nor the contract scope of work are increased
 5 as a result of any such amendment. This authority shall
 6 be available only where supplies or services could not be
 7 obtained as conveniently or economically by contracting
 8 for such supplies or services directly.

9 **SEC. 205. PROCEEDS OF SALE OF FOREIGN PROPERTIES.**

10 Section 9 of the Foreign Service Buildings Act, 1926
 11 (22 U.S.C. 300) is amended by adding at the end the fol-
 12 lowing new subsection:

13 “(d) Any proceeds held or deposited pursuant to this
 14 section may be deposited in interest bearing accounts. The
 15 Secretary of State may retain interest earned on such de-
 16 posits without returning such interest to the Treasury of
 17 the United States and interest earned may be obligated
 18 and expended without further appropriation.”.

19 **SEC. 206. REDUCTION OF REPORTING.**

20 (a) REPORT ON FOREIGN SERVICE PERSONNEL IN
 21 EACH AGENCY.—Section 601(c)(4) of the Foreign Service
 22 Act of 1980 (22 U.S.C. 4001(c)(4)) is repealed.

23 (b) REPORT ON PARTICIPATION BY U.S. MILITARY
 24 PERSONNEL ABROAD IN U.S. ELECTIONS.—Section
 25 101(b)(6) of the Uniformed and Overseas Citizens Absen-

tee Voting Act (42 U.S.C. 1973ff(b)(6)) is amended by striking “of voter participation” and inserting “of uniformed services voter participation, a general assessment of overseas nonmilitary participation,”.

(c) COUNTRY REPORTS ON ECONOMIC POLICY AND TRADE PRACTICES.—Section 2202 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4711) is repealed.

(d) ANNUAL REPORT ON SOCIAL AND ECONOMIC GROWTH.—Section 574 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107) is repealed.

SEC. 207. CONTRACTING FOR LOCAL GUARDS SERVICES OVERSEAS.

Section 136(c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864(c)) is amended—

(1) by amending paragraph (3) to read as follows:

“(3) in evaluating proposals for such contracts, award contracts to the technically acceptable firm offering the lowest evaluated price, except that proposals of United States persons and qualified United States joint venture persons (as defined in sub-

1 section (d)) shall be evaluated by reducing the bid
2 price by 5 percent;”;

3 (2) by inserting “and” at the end of paragraph
4 (5);

5 (3) by striking “; and” at the end of paragraph
6 (6) and inserting a period; and

7 (4) by striking paragraph (7).

8 **SEC. 208. PREADJUDICATION OF CLAIMS.**

9 Section 4(a) of the International Claims Settlement
10 Act (22 U.S.C. 1623(a)) is amended—

11 (1) in the first sentence by striking “1948, or”
12 and inserting “1948,”;

13 (2) by inserting before the period at the end of
14 the first sentence “, or included in a category of
15 claims against a foreign government which is re-
16 ferred to the Commission by the Secretary of State”;

17 (3) by inserting after the first sentence the fol-
18 lowing new sentence: “The Secretary of State shall
19 provide fair notice to all persons whose claims are to
20 be preadjudicated by the Commission under the au-
21 thority of this section.”; and

22 (4) in paragraph (1) by striking “the applica-
23 ble” and inserting “any applicable”.

1 **SEC. 209. EXPENSES RELATING TO CERTAIN INTER-**
2 **NATIONAL CLAIMS AND PROCEEDINGS.**

3 (a) RECOVERY OF CERTAIN EXPENSES.—The De-
4 partment of State Appropriation Act of 1937 (49 Stat.
5 1321, 22 U.S.C. 2661) is amended in the fifth undesig-
6 nated paragraph under the heading entitled “INTER-
7 NATIONAL FISHERIES COMMISSION” by striking “extraor-
8 dinary”.

9 (b) PROCUREMENT OF SERVICES.—Section 38(c) of
10 the State Department Basic Authorities Act of 1956 (22
11 U.S.C. 2710(c)) is amended in the first sentence by insert-
12 ing “personal and” before “other support services”.

13 **SEC. 210. ESTABLISHMENT OF FEE ACCOUNT AND PROVID-**
14 **ING FOR PASSPORT INFORMATION SERVICES.**

15 (a) DISPOSITION OF FEES.—Amounts collected by
16 the Department of State pursuant to section 281 of the
17 Immigration and Nationality Act (8 U.S.C. 1351), section
18 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214),
19 section 16 of the Act of August 18, 1856 (22 U.S.C.
20 4219), and section 9701 of title 31, United States Code,
21 shall be deposited in a special fund of the Treasury.

22 (b) USE OF FUNDS.—Subject to subsection (e),
23 amounts collected and deposited in the special fund in the
24 Treasury pursuant to subsection (a) shall be available to
25 the extent and in such amounts as are provided in advance
26 in appropriations Acts for the following purposes:

1 (1) To pay all necessary expenses of the De-
2 partment of State and the Foreign Service, including
3 expenses authorized by the State Department Basic
4 Authorities Act of 1956.

5 (2) Representation to certain international or-
6 ganizations in which the United States participates
7 pursuant to treaties ratified pursuant to the advice
8 and consent of the Senate or specific Acts of Con-
9 gress.

10 (3) Acquisition by exchange or purchase of pas-
11 senger motor vehicles as authorized by section 1343
12 of title 31, United States Code, section 201(c) of the
13 Federal Property and Administrative Services Act of
14 1949 (40 U.S.C. 481(c)), and section 7 of the State
15 Department Basic Authorities Act (22 U.S.C. 2674).

16 (4) Expenses of general administration of the
17 Department of State.

18 (c) AVAILABILITY OF FUNDS.—Amounts collected
19 and deposited in the special fund pursuant to subsection
20 (a) are authorized to remain available until expended.

21 (d) LIMITATION.—For any fiscal year, the total
22 amount deposited in the special fund under subsection (a)
23 pursuant to the authority of this section may not exceed
24 \$455,000,000.

1 (e) PASSPORT INFORMATION SERVICES.—For each
 2 of the fiscal years 1998 and 1999, \$5,000,000 of the
 3 amounts available in the fund shall be available only for
 4 the purpose of providing passport information without
 5 charge to citizens of the United States, including—

6 (1) information about who is eligible to receive
 7 a United States passport and how and where to
 8 apply;

9 (2) information about the status of pending ap-
 10 plications; and

11 (3) names, addresses, and telephone numbers of
 12 State and Federal officials who are authorized to
 13 provide passport information in cooperation with the
 14 Department of State.

15 **SEC. 211. ESTABLISHMENT OF MACHINE READABLE FEE**
 16 **ACCOUNT.**

17 Section 140(a) of the Foreign Relations Authoriza-
 18 tion Act, Fiscal Years 1994 and 1995 (Public Law 103-
 19 236) is amended—

20 (1) by redesignating paragraph (4) as para-
 21 graph (6);

22 (2) by striking paragraph (5);

23 (3) by striking paragraphs (2) and (3) and in-
 24 serting the following:

1 “(2) For fiscal years 1998 and 1999, not more
2 than \$140,000,000 in fees collected under the au-
3 thority of paragraph (1) for each fiscal year shall be
4 deposited in a special fund of the Treasury.

5 “(3) Fees deposited in the special fund pursu-
6 ant to paragraph (2) shall be available to the extent
7 and in such amounts as are provided in advance in
8 appropriations Acts for costs of the Department of
9 State’s border security program, including the costs
10 of—

11 “(A) installation and operation of the ma-
12 chine readable visa and automated name-check
13 process;

14 “(B) improving the quality and security of
15 the United States passport;

16 “(C) passport and visa fraud investiga-
17 tions; and

18 “(D) the technological infrastructure to
19 support and operate the programs referred to in
20 subparagraphs (A) through (C).

21 “(4) Amounts deposited pursuant to paragraph
22 (2) shall remain available for obligation until ex-
23 pended.

24 “(5) For any fiscal year, fees collected under
25 the authority of paragraph (1) in excess of the

1 amount specified for such fiscal year under para-
 2 graph (2) shall be deposited in the general fund of
 3 the Treasury as miscellaneous receipts.”.

4 **SEC. 212. RETENTION OF ADDITIONAL DEFENSE TRADE**
 5 **CONTROLS REGISTRATION FEES.**

6 Section 45(a) of the State Department Basic Au-
 7 thorities Act of 1956 (22 U.S.C. 2717(a)) is amended—

8 (1) by striking “\$700,000 of the” and inserting
 9 “all”;

10 (2) at the end of paragraph (1) by striking
 11 “and”;

12 (3) in paragraph (2)—

13 (A) by striking “functions” and inserting
 14 “functions, including compliance and enforce-
 15 ment activities,”; and

16 (B) by striking the period at the end and
 17 inserting “; and”; and

18 (4) by adding at the end the following new
 19 paragraph (3):

20 “(3) the enhancement of defense trade export
 21 compliance and enforcement activities to include
 22 compliance audits of United States and foreign par-
 23 ties, the conduct of administrative proceedings, end-
 24 use monitoring of direct commercial arms sales and

1 transfer, and cooperation in criminal proceedings re-
2 lated to defense trade export controls.”.

3 **SEC. 213. TRAINING.**

4 (a) INSTITUTE FOR TRAINING.—Section 701 of the
5 Foreign Service Act of 1980 (22 U.S.C. 4021) is amend-
6 ed—

7 (1) by redesignating subsection (d)(4) as sub-
8 section (g); and

9 (2) by inserting after paragraph (3) of sub-
10 section (d) the following new subsections:

11 “(e)(1) The Secretary of State may, in the discretion
12 of the Secretary, provide appropriate training and related
13 services through the institution to employees of United
14 States companies engaged in business abroad, and to the
15 families of such employees.

16 “(2) In the case of any company under contract to
17 provide services to the Department of State, the Secretary
18 of State is authorized to provide job-related training and
19 related services to any company employee who is perform-
20 ing such services.

21 “(3) Training under this subsection shall be on a re-
22 imburseable or advance-of-funds basis. Such reimburse-
23 ments or advances shall be credited to the currently avail-
24 able applicable appropriation account.

1 “(4) Training and related services under this sub-
2 section is authorized only to the extent that it will not
3 interfere with the institution’s primary mission of training
4 employees of the Department and of other agencies in the
5 field of foreign relations.

6 “(f)(1) The Secretary of State is authorized to pro-
7 vide on a reimbursable basis training programs to Mem-
8 bers of Congress or the judiciary.

9 “(2) Congressional staff members and employees of
10 the judiciary may participate on a reimbursable, space-
11 available basis in training programs offered by the institu-
12 tion.

13 “(3) Reimbursements collected under this subsection
14 shall be credited to the currently available applicable ap-
15 propriation account.

16 “(4) Training under this subsection is authorized
17 only to the extent that it will not interfere with the institu-
18 tion’s primary mission of training employees of the De-
19 partment of State and of other agencies in the field of
20 foreign relations.”.

21 (b) FEES FOR USE OF NATIONAL FOREIGN AFFAIRS
22 TRAINING CENTER.—The State Department Basic Au-
23 thorities Act of 1956 (22 U.S.C. 2669 et seq.) is amended
24 by adding after section 52 the following new section:

1 **“SEC. 53. FEES FOR USE OF THE NATIONAL FOREIGN AF-**
 2 **FAIRS TRAINING CENTER.**

3 “The Secretary is authorized to charge a fee for use
 4 of the National Foreign Affairs Training Center Facility
 5 of the Department of State. Funds collected under the au-
 6 thority of this section, including reimbursements, sur-
 7 charges, and fees, shall be deposited as an offsetting col-
 8 lection to any Department of State appropriation to re-
 9 cover the costs of such use and shall remain available for
 10 obligation until expended. Funds deposited pursuant to
 11 the authority of this section may be obligated and ex-
 12 pended only in such amounts as are provided in advance
 13 in an appropriation Act.”.

14 **SEC. 214. RECOVERY OF COSTS OF HEALTH CARE SERV-**
 15 **ICES.**

16 (a) **AUTHORITIES.**—Section 904 of the Foreign Serv-
 17 ice Act of 1980 (22 U.S.C. 4084) is amended—

18 (1) in subsection (a)—

19 (A) by striking “and” after “employees,”;
 20 and

21 (B) by inserting before the period “, and
 22 (for care provided abroad) such other persons
 23 as are designated by the Secretary of State, ex-
 24 cept that such persons shall be considered per-
 25 sons other than covered beneficiaries for pur-
 26 poses of subsections (g) and (h)”;

1 (2) in subsection (d) by inserting “, subject to
2 the provisions of subsections (g) and (h)” before the
3 period; and

4 (3) by adding at the end the following new sub-
5 sections:

6 “(g)(1) In the case of a person who is a covered bene-
7 ficiary, the Secretary of State is authorized to collect from
8 a third-party payer the reasonable costs incurred by the
9 Department of State on behalf of such person for health
10 care services to the same extent that the covered bene-
11 ficiary would be eligible to receive reimbursement or in-
12 demnification from the third-party payer for such costs.

13 “(2) If the insurance policy, plan, contract or similar
14 agreement of that third-party payer includes a require-
15 ment for a deductible or copayment by the beneficiary of
16 the plan, then the Secretary of State may collect from the
17 third-party payer only the reasonable cost of the care pro-
18 vided less the deductible or copayment amount.

19 “(3) A covered beneficiary shall not be required to
20 pay any deductible or copayment for health care services
21 under this subsection.

22 “(4) In the case of—

23 “(A) care provided directly or indirectly by a
24 governmental entity; or

1 “(B) care provided to an individual who has not
2 paid a required deductible or copayment,
3 no provision of any insurance, medical service, or health
4 plan contract or agreement having the effect of excluding
5 from coverage or limiting payment of charges for care in
6 such a case shall operate to prevent collection by the Sec-
7 retary of State under paragraph (1).

8 “(5) No law of any State, or of any political subdivi-
9 sion of a State, and no provision of any contract or agree-
10 ment shall operate to prevent or hinder recovery or collec-
11 tion by the United States under this section.

12 “(6) As to the authority provided in paragraph (1)
13 of this subsection—

14 “(A) the United States shall be subrogated to
15 any right or claim that the covered beneficiary may
16 have against a third-party payer;

17 “(B) the United States may institute and pros-
18 ecute legal proceedings against a third-party payer
19 to enforce a right of the United States under this
20 subsection; and

21 “(C) the Secretary may compromise, settle, or
22 waive a claim of the United States under this sub-
23 section.

24 “(7) The Secretary shall prescribe regulations for the
25 administration of this subsection and subsection (h). Such

1 regulations shall provide for computation of the reasonable
2 cost of health care services.

3 “(8) Regulations prescribed under this subsection
4 shall provide that medical records of a covered beneficiary
5 receiving health care under this section shall be made
6 available for inspection and review by representatives of
7 the third-party payer from which collection by the United
8 States is sought for the sole purpose of permitting the
9 third-party payer to verify, consistent with this sub-
10 section—

11 “(A) that the care or services for which recov-
12 ery or collection is sought were furnished to the cov-
13 ered beneficiary; and

14 “(B) that the provision of such care or services
15 to the covered beneficiary meets criteria generally
16 applicable under the health plan contract involved.

17 “(9) Amounts collected under this subsection, under
18 subsection (h), or under any authority referred to in sub-
19 section (i), from a third-party payer or from any other
20 payer shall be deposited as an offsetting collection to any
21 Department of State appropriation and shall remain avail-
22 able until expended. Amounts deposited shall be available,
23 to the extent and in such amounts as are provided in ad-
24 vance in appropriation Acts.

25 “(10) For purposes of this section—

1 “(A) the term ‘covered beneficiary’ means an
2 individual eligible to receive health care under this
3 section whose health care costs are to be paid by a
4 third-party payer under a contractual agreement
5 with such payer;

6 “(B) the term ‘services’ as used in ‘health care
7 services’ includes products; and

8 “(C) the term ‘third-party payer’ means an en-
9 tity that provides a fee-for-service insurance policy,
10 contract, or similar agreement through the Federal
11 Employees Health Benefit program, under which the
12 expenses of health care services for individuals are
13 paid.

14 “(h) In the case of a person, other than a covered
15 beneficiary, who receives health care services pursuant to
16 this section, the Secretary of State is authorized to collect
17 from such person the reasonable costs of health care serv-
18 ices incurred by the Department of State on behalf of such
19 person. The United States shall have the same rights
20 against persons subject to the provisions of this subsection
21 as against third-party payers covered by subsection (g).

22 “(i) Nothing in subsection (g) or (h) of this section
23 may be construed as limiting any authority the Secretary
24 otherwise has with respect to payment and obtaining reim-

1 bursement for the costs of medical treatment of an individ-
 2 ual eligible under this section for health care.”.

3 (b) EFFECTIVE DATE.—The amendments made by
 4 subsection (a) shall take effect on the earlier of—

5 (1) the date on which regulations promulgated
 6 by the Secretary of State to implement such amend-
 7 ments are published in final form in the Federal
 8 Register; or

9 (2) October 1, 1998.

10 **SEC. 215. FEE FOR USE OF DIPLOMATIC RECEPTION**
 11 **ROOMS.**

12 The State Department Basic Authorities Act of 1956
 13 (22 U.S.C. 2651a et seq.) is amended by adding after sec-
 14 tion 53 (as added by section 213(b)) the following new
 15 section:

16 **“SEC. 54. FEE FOR USE OF DIPLOMATIC RECEPTION**
 17 **ROOMS.**

18 “The Secretary of State is authorized to charge a fee
 19 for use of the diplomatic reception rooms of the Depart-
 20 ment of State. Amounts collected under the authority of
 21 this section (including any reimbursements and sur-
 22 charges) shall be deposited as an offsetting collection to
 23 any Department of State appropriation to recover the
 24 costs of such use and shall remain available for obligation
 25 until expended. Amounts deposited under this section may

1 be obligated and expended only to the extent and in such
2 amounts as are provided in advance in an appropriation
3 Act.”.

4 **SEC. 216. FEES FOR COMMERCIAL SERVICES.**

5 Section 52 of the State Department Basic Authorities
6 Act of 1956 (22 U.S.C. 2724) is amended in subsection
7 (b) by adding at the end the following: “Funds deposited
8 under this subsection shall remain available for obligation
9 until expended. Deposited funds may be obligated and ex-
10 pended only in such amounts as are provided in advance
11 in an appropriation Act.”.

12 **SEC. 217. CONCERNING THE USE OF FUNDS TO FURTHER**
13 **NORMALIZE RELATIONS WITH VIETNAM.**

14 (a) IN GENERAL.—Subject to subsection (a), none of
15 the funds authorized to be appropriated or otherwise made
16 available by this Act may be obligated or expended to pay
17 for any cost incurred for—

18 (1) opening or operating any United States dip-
19 lomatic or consular post in the Socialist Republic of
20 Vietnam that was not operating on the date of en-
21 actment of this Act;

22 (2) expanding any United States diplomatic or
23 consular post in the Socialist Republic of Vietnam;
24 or

1 (3) increasing the total number of personnel as-
2 signed in United States diplomatic or consular posts
3 in the Socialist Republic of Vietnam above the levels
4 existing on the date of enactment of this Act.

5 (b) CERTIFICATION.—Not less than 60 days prior to
6 any obligation or expenditure of funds under subsection
7 (a), the President submits a certification to the appro-
8 priate congressional committees that—

9 (1) the Government of the Socialist Republic of
10 Vietnam is fully cooperating with the United States
11 in providing the fullest possible accounting of all un-
12 resolved POW/MIA cases and the recovery and repa-
13 triation of American remains;

14 (2) the Government of the Socialist Republic of
15 Vietnam has made substantial progress toward the
16 release of all political and religious prisoners, includ-
17 ing Catholic, Protestant, and Buddhist clergy;

18 (3) the Government of the Socialist Republic of
19 Vietnam is fully cooperating with requests by the
20 United States to obtain full and free access to per-
21 sons of humanitarian interest to the United States
22 for interviews under the Orderly Departure (ODP)
23 and Resettlement Opportunities for Vietnamese Ref-
24 ugees (ROVR) programs and in providing exit visas
25 for such persons, and has taken vigorous action to

1 end extortion, bribery, and other corrupt practices in
2 connection with such exit visas; and

3 (4) the Government of the United States is
4 making vigorous efforts to interview and resettle
5 former re-education camp victims, their immediate
6 families (including unmarried sons and daughters),
7 former United States Government employees, and
8 other persons eligible for the ODP program, and to
9 give such persons the full benefit of all applicable
10 United States laws including sections 599D and
11 599E of the Foreign Operations, Export Financing,
12 and Related Programs Appropriations Act of 1990
13 (Public Law 101–167) and will continue to make
14 such efforts during the time for which such funds
15 are made available.

16 **SEC. 218. EXTENSION OF CERTAIN ADJUDICATION PROVI-**
17 **SIONS.**

18 The Foreign Operations, Export Financing, and Re-
19 lated Programs Appropriations Act, 1990 (Public Law
20 101–167) is amended—

21 (1) in section 599D (8 U.S.C. 1157 note)—

22 (A) in subsection (b)(3), by striking “and
23 1997” and inserting “1997, 1998, and 1999”;
24 and

1 (B) in subsection (e), by striking “October
 2 1, 1997” each place it appears and inserting
 3 “October 1, 1999”; and
 4 (2) in section 599E (8 U.S.C. 1255 note) in
 5 subsection (b)(2), by striking “September 30, 1997”
 6 and inserting “September 30, 1999”.

7 **CHAPTER 2—CONSULAR AUTHORITIES OF**
 8 **THE DEPARTMENT OF STATE**

9 **SEC. 241. USE OF CERTAIN PASSPORT PROCESSING FEES**
 10 **FOR ENHANCED PASSPORT SERVICES.**

11 For each of the fiscal years 1998 and 1999, of the
 12 fees collected for expedited passport processing and depos-
 13 ited to an offsetting collection pursuant to the Department
 14 of State and Related Agencies Appropriations Act for Fis-
 15 cal Year 1995 (Public Law 103–317; 22 U.S.C. 214), 30
 16 percent shall be available only for enhancing passport
 17 services for United States citizens, improving the integrity
 18 and efficiency of the passport issuance process, improving
 19 the secure nature of the United States passport, inves-
 20 tigating passport fraud, and deterring entry into the Unit-
 21 ed States by terrorists, drug traffickers, or other crimi-
 22 nals.

23 **SEC. 242. CONSULAR OFFICERS.**

24 (a) PERSONS AUTHORIZED TO ISSUE REPORTS OF
 25 BIRTH ABROAD.—Section 33 of the State Department

1 Basic Authorities Act of 1956 (22 U.S.C. 2705) is amend-
 2 ed in paragraph (2) by inserting “(or any United States
 3 citizen employee of the Department of State designated
 4 by the Secretary of State to adjudicate nationality abroad
 5 pursuant to such regulations as the Secretary may pre-
 6 scribe)” after “consular officer”.

7 (b) PROVISIONS APPLICABLE TO CONSULAR OFFI-
 8 CERS.—Section 31 of the Act of August 18, 1856 (Rev.
 9 Stat. 1689, 22 U.S.C. 4191), is amended by inserting
 10 “and to such other United States citizen employees of the
 11 Department of State as may be designated by the Sec-
 12 retary of State pursuant to such regulations as the Sec-
 13 retary may prescribe” after “such officers”.

14 **SEC. 243. REPEAL OF OUTDATED CONSULAR RECEIPT RE-**
 15 **QUIREMENTS.**

16 Sections 1726, 1727, and 1728 of the Revised Stat-
 17 utes of the United States (22 U.S.C. 4212, 4213, and
 18 4214) (concerning accounting for consular fees) are re-
 19 pealed.

20 **SEC. 244. ELIMINATION OF DUPLICATE PUBLICATION RE-**
 21 **QUIREMENTS.**

22 (a) FEDERAL REGISTER PUBLICATION OF TRAVEL
 23 ADVISORIES.—Section 44908(a) of title 49, United States
 24 Code, is amended—

25 (1) by striking paragraph (2); and

1 (2) by redesignating paragraph (3) as para-
2 graph (2).

3 (b) PUBLICATION IN THE FEDERAL REGISTER OF
4 TRAVEL ADVISORIES CONCERNING SECURITY AT FOR-
5 EIGN PORTS.—Section 908(a) of the International Mari-
6 time and Port Security Act of 1986 (Public Law 99–399;
7 100 Stat. 891; 46 U.S.C. App. 1804(a)) is amended by
8 striking the second sentence.

9 **SEC. 245. REPORT ON COMPLIANCE WITH THE HAGUE CON-**
10 **VENTION ON INTERNATIONAL CHILD ABDUC-**
11 **TION.**

12 Beginning 6 months after the date of the enactment
13 of this Act and every subsequent 6 months during fiscal
14 years 1998 and 1999, the Secretary shall provide to the
15 appropriate congressional committees a report on the com-
16 pliance of the signatories to the Hague Convention on the
17 Civil Aspects of International Child Abduction with the
18 provisions of the convention, which shall include—

19 (1) the number of applications for the return of
20 children submitted by United States citizens to the
21 Central Authority for the United States that remain
22 unresolved;

23 (2) the countries to which the children listed in
24 the unresolved applications are alleged to have been
25 abducted;

1 (3) whether, in the judgment of the Secretary
2 of State, each of the countries listed in one or more
3 resolved applications is in full compliance with its
4 obligations under the convention; and

5 (4) in each unresolved case, the actions taken
6 by the Department of State to secure the return of
7 the child or children alleged to have been abducted.

8 **CHAPTER 3—REFUGEES AND MIGRATION**

9 **SEC. 261. REPORT TO CONGRESS CONCERNING CUBAN EMI-** 10 **GRATION POLICIES.**

11 Beginning 3 months after the date of the enactment
12 of this Act and every subsequent 6 months, the Secretary
13 of State shall include in the monthly report to Congress
14 entitled “Update on Monitoring of Cuban Migrant Return-
15 ees” additional information concerning the methods em-
16 ployed by the Government of Cuba to enforce the United
17 States-Cuba agreement of September 1994 to restrict the
18 emigration of the Cuban people from Cuba to the United
19 States and the treatment by the Government of Cuba of
20 persons who have returned to Cuba pursuant to the Unit-
21 ed States-Cuba agreement of May 1995.

1 **SEC. 262. REPROGRAMMING OF MIGRATION AND REFUGEE**
2 **ASSISTANCE FUNDS.**

3 Section 34 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2706) is amended by adding at
5 the end the following new subsection:

6 “(c) EMERGENCY WAIVER OF NOTIFICATION RE-
7 QUIREMENT.—The Secretary of State may waive the noti-
8 fication requirement of subsection (a), if the Secretary de-
9 termines that failure to do so would pose a substantial
10 risk to human health or welfare. In the case of any waiver
11 under this subsection, notification to the appropriate con-
12 gressional committees shall be provided as soon as prac-
13 ticable, but not later than 3 days after taking the action
14 to which the notification requirement was applicable, and
15 shall contain an explanation of the emergency cir-
16 cumstances.”.

1 **TITLE III—ORGANIZATION OF**
2 **THE DEPARTMENT OF STATE;**
3 **DEPARTMENT OF STATE PER-**
4 **SONNEL; THE FOREIGN SERV-**
5 **ICE**

6 **CHAPTER 1—ORGANIZATION OF THE**
7 **DEPARTMENT OF STATE**

8 **SEC. 301. COORDINATOR FOR COUNTERTERRORISM.**

9 (a) ESTABLISHMENT.—Section 1(e) of the State De-
10 partment Basic Authorities Act of 1956 (22 U.S.C.
11 2651a(e)) is amended—

12 (1) by striking “In” and inserting the following:

13 “(1) In”; and

14 (2) by inserting at the end the following:

15 “(2) COORDINATOR FOR
16 COUNTERTERRORISM.—

17 “(A) There shall be within the office of the
18 Secretary of State a Coordinator for
19 Counterterrorism (hereafter in this paragraph
20 referred to as the ‘Coordinator’) who shall be
21 appointed by the President, by and with the ad-
22 vice and consent of the Senate.

23 “(B)(i) The Coordinator shall perform
24 such duties and exercise such power as the Sec-
25 retary of State shall prescribe.

1 “(ii) The principal duty of the Coordinator
2 shall be the overall supervision (including policy
3 oversight of resources) of international
4 counterterrorism activities. The Coordinator
5 shall be the principal adviser to the Secretary
6 of State on international counterterrorism mat-
7 ters. The Coordinator shall be the principal
8 counterterrorism official within the senior man-
9 agement of the Department of State and shall
10 report directly to the Secretary of State.

11 “(C) The Coordinator shall have the rank
12 and status of Ambassador-at-Large. The Coor-
13 dinator shall be compensated at the annual rate
14 of basic pay in effect for a position at level IV
15 of the Executive Schedule under section 5314
16 of title 5, United States Code, or, if the Coordi-
17 nator is appointed from the Foreign Service,
18 the annual rate of pay which the individual last
19 received under the Foreign Service Schedule,
20 whichever is greater.”.

21 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
22 Section 161 of the Foreign Relations Authorization Act,
23 Fiscal Years 1994 and 1995 (Public Law 103–236) is
24 amended by striking subsection (e).

1 (c) TRANSITION PROVISION.—The individual serving
 2 as Coordinator for Counterterrorism of the Department
 3 of State on the day before the effective date of this division
 4 may continue to serve in that position.

5 **SEC. 302. ELIMINATION OF STATUTORY ESTABLISHMENT**
 6 **OF CERTAIN POSITIONS OF THE DEPART-**
 7 **MENT OF STATE.**

8 (a) ASSISTANT SECRETARY OF STATE FOR SOUTH
 9 ASIAN AFFAIRS.—Section 122 of the Foreign Relations
 10 Authorization Act, Fiscal Years 1992 and 1993 (22
 11 U.S.C. 2652b) is repealed.

12 (b) DEPUTY ASSISTANT SECRETARY OF STATE FOR
 13 BURDENSARING.—Section 161 of the Foreign Relations
 14 Authorization Act, Fiscal Years 1994 and 1995 (22
 15 U.S.C. 2651a note) is amended by striking subsection (f).

16 (c) ASSISTANT SECRETARY FOR OCEANS AND INTER-
 17 NATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.—
 18 Section 9 of the Department of State Appropriations Au-
 19 thorization Act of 1973 (22 U.S.C. 2655a) is repealed.

20 **SEC. 303. ESTABLISHMENT OF ASSISTANT SECRETARY OF**
 21 **STATE FOR HUMAN RESOURCES.**

22 Section 1(c) of the State Department Basic Authori-
 23 ties Act of 1956 (22 U.S.C. 2651a(c)) is amended by add-
 24 ing after paragraph (2) the following new paragraph:

1 “(3) ASSISTANT SECRETARY FOR HUMAN RE-
2 SOURCES.—There shall be in the Department of
3 State an Assistant Secretary for Human Resources
4 who shall be responsible to the Secretary of State
5 for matters relating to human resources including
6 the implementation of personnel policies and pro-
7 grams within the Department of State and inter-
8 national affairs functions and activities carried out
9 through the Department of State. The Assistant
10 Secretary shall have substantial professional quali-
11 fications in the field of human resource policy and
12 management.”.

13 **SEC. 304. ESTABLISHMENT OF ASSISTANT SECRETARY OF**
14 **STATE FOR DIPLOMATIC SECURITY.**

15 Section 1(c) of the State Department Basic Authori-
16 ties Act of 1956 (22 U.S.C. 2651a(c)) as amended by sec-
17 tion 303 is further amended by adding after paragraph
18 (3) the following new paragraph:

19 “(4) ASSISTANT SECRETARY FOR DIPLOMATIC
20 SECURITY.—There shall be in the Department of
21 State an Assistant Secretary for Diplomatic Security
22 who shall be responsible to the Secretary of State
23 for matters relating to diplomatic security. The As-
24 sistant Secretary shall have substantial professional

1 qualifications in the field of Federal law enforce-
2 ment, intelligence, or security.”.

3 **SEC. 305. SPECIAL ENVOY FOR TIBET.**

4 (a) UNITED STATES SPECIAL ENVOY FOR TIBET.—

5 The President should appoint within the Department of
6 State a United States Special Envoy for Tibet, who shall
7 hold office at the pleasure of the President.

8 (b) RANK.—A United States Special Envoy for Tibet
9 appointed under subsection (a) shall have the personal
10 rank of ambassador and shall be appointed by and with
11 the advice and consent of the Senate.

12 (c) SPECIAL FUNCTIONS.—The United States Special
13 Envoy for Tibet should be authorized and encouraged—

14 (1) to promote substantive negotiations between
15 the Dalai Lama or his representatives and senior
16 members of the Government of the People’s Republic
17 of China;

18 (2) to promote good relations between the Dalai
19 Lama and his representatives and the United States
20 Government, including meeting with members or
21 representatives of the Tibetan government-in-exile;
22 and

23 (3) to travel regularly throughout Tibet and Ti-
24 betan refugee settlements.

1 (d) DUTIES AND RESPONSIBILITIES.—The United
2 States Special Envoy for Tibet should—

3 (1) consult with the Congress on policies rel-
4 evant to Tibet and the future and welfare of all Ti-
5 betan people;

6 (2) coordinate United States Government poli-
7 cies, programs, and projects concerning Tibet; and

8 (3) report to the Secretary of State regarding
9 the matters described in section 536(a)(2) of the
10 Foreign Relations Authorization Act, Fiscal Years
11 1994 and 1995 (Public Law 103–236).

12 **SEC. 306. RESPONSIBILITIES FOR BUREAU CHARGED WITH**
13 **REFUGEE ASSISTANCE.**

14 The Bureau of Migration and Refugee Assistance
15 shall be the bureau within the Department of State with
16 principal responsibility for assisting the Secretary in car-
17 rying out the Migration and Refugee Assistance Act of
18 1962 and shall not be charged with responsibility for as-
19 sisting the Secretary in matters relating to family plan-
20 ning or population policy.

1 **CHAPTER 2—PERSONNEL OF THE DE-**
2 **PARTMENT OF STATE; THE FOREIGN**
3 **SERVICE**

4 **SEC. 321. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
5 **ICE.**

6 (a) **END FISCAL YEAR 1998 LEVELS.**—The number
7 of members of the Foreign Service authorized to be em-
8 ployed as of September 30, 1998—

9 (1) for the Department of State, shall not ex-
10 ceed 8,000, of whom not more than 750 shall be
11 members of the Senior Foreign Service;

12 (2) for the United States Information Agency,
13 shall not exceed 1,000, of whom not more than 140
14 shall be members of the Senior Foreign Service; and

15 (3) for the Agency for International Develop-
16 ment, not to exceed 1070, of whom not more than
17 140 shall be members of the Senior Foreign Service.

18 (b) **END FISCAL YEAR 1999 LEVELS.**—The number
19 of members of the Foreign Service authorized to be em-
20 ployed as of September 30, 1999—

21 (1) for the Department of State, shall not ex-
22 ceed 8,000, of whom not more than 750 shall be
23 members of the Senior Foreign Service;

1 (2) for the United States Information Agency,
2 not to exceed 1,000 of whom not more than 140
3 shall be members of the Senior Foreign Service; and

4 (3) for the Agency for International Develop-
5 ment, not to exceed 1065 of whom not more than
6 135 shall be members of the Senior Foreign Service.

7 (c) DEFINITION.—For the purposes of this section,
8 the term “members of the Foreign Service” is used within
9 the meaning of such term under section 103 of the For-
10 eign Service Act of 1980 (22 U.S.C 3903), except that
11 such term does not include—

12 (1) members of the Service under paragraphs
13 (6) and (7) of such section;

14 (2) members of the Service serving under tem-
15 porary resident appointments abroad;

16 (3) members of the Service employed on less
17 than a full-time basis;

18 (4) members of the Service subject to involun-
19 tary separation in cases in which such separation
20 has been suspended pursuant to section 1106(8) of
21 the Foreign Service Act of 1980; and

22 (5) members of the Service serving under non-
23 career limited appointments.

24 (d) WAIVER AUTHORITY.—(1) Subject to paragraph
25 (2), the President may waive any limitation under sub-

1 section (a) or (b) to the extent that such waiver is nec-
2 essary to carry on the foreign affairs functions of the
3 United States.

4 (2) Not less than 15 days before the President exer-
5 cises a waiver under paragraph (1), such agency head
6 shall notify the Chairman of the Committee on Foreign
7 Relations of the Senate and the Chairman of the Commit-
8 tee on International Relations of the House of Representa-
9 tives. Such notice shall include an explanation of the cir-
10 cumstances and necessity for such waiver.

11 **SEC. 322. NONOVERTIME DIFFERENTIAL PAY.**

12 Title 5 of the United States Code is amended—

13 (1) in section 5544(a), by inserting after the
14 fourth sentence the following new sentence: “For
15 employees serving outside the United States in areas
16 where Sunday is a routine workday and another day
17 of the week is officially recognized as the day of rest
18 and worship, the Secretary of State may designate
19 the officially recognized day of rest and worship as
20 the day with respect to which the preceding sentence
21 shall apply instead of Sunday.”; and

22 (2) at the end of section 5546(a), by adding the
23 following new sentence: “For employees serving out-
24 side the United States in areas where Sunday is a
25 routine workday and another day of the week is offi-

1 cially recognized as the day of rest and worship, the
 2 Secretary of State may designate the officially recog-
 3 nized day of rest and worship as the day with re-
 4 spect to which the preceding sentence shall apply in-
 5 stead of Sunday.”.

6 **SEC. 323. AUTHORITY OF SECRETARY TO SEPARATE CON-**
 7 **VICTED FELONS FROM SERVICE.**

8 Section 610(a)(2) of the Foreign Service Act of 1980
 9 (22 U.S.C. 4010(a)(2)) is amended in the first sentence
 10 by striking “A member” and inserting “Except in the case
 11 of an individual who has been convicted of a crime for
 12 which a sentence of imprisonment of more than 1 year
 13 may be imposed, a member”.

14 **SEC. 324. CAREER COUNSELING.**

15 (a) IN GENERAL.—Section 706(a) of the Foreign
 16 Service Act of 1980 (22 U.S.C. 4026(a)) is amended by
 17 adding at the end the following sentence: “Career counsel-
 18 ing and related services provided pursuant to this Act shall
 19 not be construed to permit an assignment to training or
 20 to another assignment that consists primarily of paid time
 21 to conduct a job search and without other substantive du-
 22 ties, except that career members of the Service who upon
 23 their separation are not eligible to receive an immediate
 24 annuity and have not been assigned to a post in the Unit-
 25 ed States during the 12 months prior to their separation

1 from the Service may be permitted up to 2 months of paid
 2 time to conduct a job search.”.

3 (b) EFFECTIVE DATE.—The amendment made by
 4 subsection (a) shall be effective 180 days after the date
 5 of the enactment of this Act.

6 **TITLE IV—UNITED STATES PUB-**
 7 **LIC DIPLOMACY: AUTHORI-**
 8 **TIES AND ACTIVITIES FOR**
 9 **UNITED STATES INFORMA-**
 10 **TIONAL, EDUCATIONAL, AND**
 11 **CULTURAL PROGRAMS**

12 **CHAPTER 1—GENERAL PROVISIONS**

13 **SEC. 401. EXTENSION OF AU PAIR PROGRAMS.**

14 Section 1(b) of the Act entitled “An Act to extend
 15 au pair programs.” (Public Law 104–72; 109 Stat.
 16 1065(b)) is amended by striking “, through fiscal year
 17 1997”.

18 **SEC. 402. RETENTION OF INTEREST.**

19 Notwithstanding any other provision of law, with the
 20 approval of the National Endowment for Democracy,
 21 grant funds made available by the National Endowment
 22 for Democracy may be deposited in interest-bearing ac-
 23 counts pending disbursement and any interest which ac-
 24 crues may be retained by the grantee without returning
 25 such interest to the Treasury of the United States and

1 interest earned by be obligated and expended for the pur-
 2 poses for which the grant was made without further ap-
 3 propriation.

4 **SEC. 403. CENTER FOR CULTURAL AND TECHNICAL INTER-**
 5 **CHANGE BETWEEN NORTH AND SOUTH.**

6 Section 208(e) of the Foreign Relations Authoriza-
 7 tion Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075(e))
 8 is amended by striking “\$10,000,000” and inserting
 9 “\$4,000,000”.

10 **SEC. 404. USE OF ENGLISH TEACHING PROGRAM FEES.**

11 Section 810 of the United States Information and
 12 Educational Exchange Act of 1948 (22 U.S.C. 1475e) is
 13 amended by inserting “educational advising and counsel-
 14 ing, exchange visitor program services, advertising sold by
 15 the Voice of America, receipts from cooperating inter-
 16 national organizations and from the privatization of VOA
 17 Europe,” after “library services,”.

18 **SEC. 405. LAW AND BUSINESS TRAINING PROGRAM FOR**
 19 **GRADUATE STUDENTS FROM THE SOVIET**
 20 **UNION, LITHUANIA, LATVIA, AND ESTONIA.**

21 Section 227(c)(5) of the Foreign Relations Author-
 22 ization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452
 23 note) is amended—

24 (1) in the first sentence by inserting “journal-
 25 ism and communications, education administration,

1 public policy, library and information science,” after
 2 “business administration,”; and
 3 (2) in the second sentence by inserting “jour-
 4 nalism and communications, education administra-
 5 tion, public policy, library and information science,”
 6 after “business administration,”.

7 **SEC. 406. WORKING GROUP ON UNITED STATES GOVERN-**
 8 **MENT SPONSORED INTERNATIONAL EX-**
 9 **CHANGES AND TRAINING.**

10 Section 112 of the Mutual Educational and Cultural
 11 Exchange Act of 1961 (22 U.S.C. 2460) is amended by
 12 adding at the end the following new subsection:

13 “(g) WORKING GROUP ON UNITED STATES GOVERN-
 14 MENT SPONSORED INTERNATIONAL EXCHANGES AND
 15 TRAINING.—(1) In order to carry out the purposes of sub-
 16 section (f) and to improve the coordination, efficiency, and
 17 effectiveness of United States Government sponsored
 18 international exchanges and training, there is established
 19 within the United States Information Agency a senior-
 20 level interagency working group to be known as the Work-
 21 ing Group on United States Government Sponsored Inter-
 22 national Exchanges and Training (hereinafter in this sec-
 23 tion referred to as “the Working Group”).

24 “(2) For purposes of this subsection, the term ‘Gov-
 25 ernment sponsored international exchanges and training’

1 means the movement of people between countries to pro-
2 mote the sharing of ideas, to develop skills, and to foster
3 mutual understanding and cooperation, financed wholly or
4 in part, directly or indirectly, with United States Govern-
5 ment funds.

6 “(3) The Working Group shall be composed of 6
7 members as follows:

8 “(A) The Associate Director for Educational
9 and Cultural Affairs of the United States Informa-
10 tion Agency, who shall act as Chair.

11 “(B) A senior representative designated by the
12 Secretary of State.

13 “(C) A senior representative designated by the
14 Secretary of Defense.

15 “(D) A senior representative designated by the
16 Secretary of Education.

17 “(E) A senior representative designated by the
18 Attorney General.

19 “(F) A senior representative designated by the
20 Administrator of the Agency for International Devel-
21 opment.

22 “(4) At the discretion of the Chair, representatives
23 of other departments and agencies may participate in
24 meetings of the Working Group as ex parte nonvoting
25 members. Representatives of the National Security Ad-

1 viser and the Director of the Office of Management and
2 Budget may participate in the Working Group at the dis-
3 cretion of the adviser and the director, respectively.

4 “(5) The Working Group shall be supported by an
5 interagency staff office established in the Bureau of Edu-
6 cational and Cultural Affairs of the United States Infor-
7 mation Agency.

8 “(6) The Working Group shall have the following
9 purposes and responsibilities:

10 “(A) To collect, analyze, and report data pro-
11 vided by all United States Government departments
12 and agencies conducting international exchanges and
13 training programs.

14 “(B) To promote greater understanding and co-
15 operation among concerned United States Govern-
16 ment departments and agencies of common issues
17 and challenges in conducting international exchanges
18 and training programs, including through the estab-
19 lishment of a clearinghouse for information on inter-
20 national exchange and training activities in the gov-
21 ernmental and nongovernmental sectors.

22 “(C) In order to achieve the most efficient and
23 cost-effective use of Federal resources, to identify
24 administrative and programmatic duplication and
25 overlap of activities by the various United States

1 Government departments and agencies involved in
2 Government sponsored international exchange and
3 training programs, and to report thereon.

4 “(D) Not later than 1 year after the date of the
5 enactment of the Foreign Relations Authorization
6 Act, Fiscal Years 1998 and 1999, to develop and
7 thereafter assess, annually, a coordinated strategy
8 for all United States Government sponsored inter-
9 national exchange and training programs, and to
10 issue a report on such strategy.

11 “(E) Not later than 2 years after the date of
12 the enactment of the Foreign Relations Authoriza-
13 tion Act, Fiscal Years 1998 and 1999, to develop
14 recommendations on common performance measures
15 for all United States Government sponsored inter-
16 national exchange and training programs, and to
17 issue a report.

18 “(F) To develop strategies for expanding public
19 and private partnerships in, and leveraging private
20 sector support for, United States Government spon-
21 sored international exchange and training activities.

22 “(7) All reports prepared by the Working Group shall
23 be submitted to the President, through the Director of the
24 United States Information Agency.

1 “(8) The Working Group shall meet at least on a
2 quarterly basis.

3 “(9) Four of the members of the Working Group
4 shall constitute a quorum. All decisions of the Working
5 Group shall be by majority vote of the members present
6 and voting.

7 “(10) The members of the Working Group shall serve
8 without additional compensation for their service on the
9 Working Group. Any expenses incurred by a member of
10 the Working Group in connection with service on the
11 Working Group shall be compensated by that member’s
12 department or agency.

13 “(11) With respect to any report promulgated pursu-
14 ant to paragraph (6), a member may submit dissenting
15 views to be submitted as part of the report of the Working
16 Group.”.

17 **SEC. 407. EDUCATIONAL AND CULTURAL EXCHANGES AND**
18 **SCHOLARSHIPS FOR TIBETANS AND BUR-**
19 **MESE.**

20 (a) ESTABLISHMENT OF EDUCATIONAL AND CUL-
21 TURAL EXCHANGE FOR TIBETANS.—The Director of the
22 United States Information Agency shall establish pro-
23 grams of educational and cultural exchange between the
24 United States and the people of Tibet. Such programs
25 shall include opportunities for training and, as the Direc-

1 tor considers appropriate, may include the assignment of
2 personnel and resources abroad.

3 (b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

4 (1) IN GENERAL.—For each of the fiscal years
5 1998 and 1999, at least 30 scholarships shall be
6 made available to Tibetan students and professionals
7 who are outside Tibet, and at least 15 scholarships
8 shall be made available to Burmese students and
9 professionals who are outside Burma.

10 (2) WAIVER.—Paragraph (1) shall not apply to
11 the extent that the Director of the United States In-
12 formation Agency determines that there are not
13 enough qualified students to fulfill such allocation
14 requirement.

15 (3) SCHOLARSHIP DEFINED.—For the purposes
16 of this section, the term “scholarship” means an
17 amount to be used for full or partial support of tui-
18 tion and fees to attend an educational institution,
19 and may include fees, books, and supplies, equip-
20 ment required for courses at an educational institu-
21 tion, living expenses at a United States educational
22 institution, and travel expenses to and from, and
23 within, the United States.

1 **SEC. 408. EXCHANGE PROGRAMS IN SOUTH AFRICA.**

2 (a) STATEMENT OF CONGRESS CONCERNING THE
3 FULBRIGHT COMMISSION IN SOUTH AFRICA.—The Con-
4 gress makes the following findings:

5 (1) The governments of the United States and
6 South Africa have established a bilateral commis-
7 sion, the J. William Fulbright Commission, in Pre-
8 toria, South Africa, with the primary purpose of
9 managing and providing oversight of cultural and
10 educational exchange programs for South Africans
11 and Americans, particularly the Fulbright Academic
12 Exchange Program in South Africa.

13 (2) The Fulbright commission is a model for bi-
14 lateral partnership and cooperative engagement and
15 provides a single administrative mechanism to im-
16 prove the management of United States-supported
17 educational programs in South Africa.

18 (3) Such bilateral commissions, known as Ful-
19 bright commissions, have been established around
20 the world to manage efficient and heavily leveraged
21 international exchange programs supported by the
22 United States.

23 (4) Two programs funded through the United
24 States Agency for International Development, the
25 Mandela Fellows and ATLAS, are long-term aca-
26 demic training programs at the post-baccalaureate

1 level comparable to the Fulbright Academic Ex-
2 change Program administered by the United States
3 Information Agency.

4 (5) The Fulbright Commission in South Africa
5 can provide local management of the ATLAS and
6 Mandela Fellows programs to provide an integrated
7 strategic plan for United States exchange and train-
8 ing programs.

9 (6) The Fulbright commissions usually require
10 that exchange programs feature some level of cost-
11 sharing with host governments and the private sec-
12 tor. The ATLAS and Mandela Fellows programs
13 would benefit from such an arrangement.

14 (7) The Fulbright Commission in South Africa
15 affirms continuity and consistency in the manage-
16 ment of the ATLAS and Mandela Fellows programs
17 in conjunction with the long-term commitment to
18 share in the costs of the commission and its pro-
19 grams.

20 (8) The Fulbright Commission in South Africa
21 will enhance the prestige and authority of exchange
22 grants and awards as well as reduce the possibility
23 of duplication of programs.

1 (b) POLICY REGARDING ADMINISTRATION AND MAN-
2 AGEMENT OF UNITED STATES EXCHANGE PROGRAMS IN
3 SOUTH AFRICA.—

4 (1) ADMINISTRATION BY USIA.—Notwithstand-
5 ing any other provision of law, educational, cultural,
6 and other exchange programs funded by the United
7 States in South Africa, including any such programs
8 for secondary school students, shall be administered
9 by the United States Information Agency (USIA).
10 Funds appropriated or allocated to the United
11 States Agency for International Development
12 (USAID) for the ATLAS and Mandela Fellows pro-
13 grams shall be transferred to the United States In-
14 formation Agency.

15 (2) MANAGEMENT BY FULBRIGHT COMMISSION
16 IN SOUTH AFRICA.—The United States Information
17 Agency shall enter into agreements with the J. Wil-
18 liam Fulbright Commission in South Africa to pro-
19 vide for the oversight and management of the
20 ATLAS and Mandela Fellows programs by the com-
21 mission.

1 **TITLE V—INTERNATIONAL OR-**
2 **GANIZATIONS; UNITED NA-**
3 **TIONS AND RELATED AGEN-**
4 **CIES**

5 **CHAPTER 1—GENERAL PROVISIONS**

6 **SEC. 501. SERVICE IN INTERNATIONAL ORGANIZATIONS.**

7 (a) IN GENERAL.—Section 3582(b) of title 5, United
8 States Code, is amended by striking all after the first sen-
9 tence and inserting the following: “On reemployment, he
10 is entitled to the rate of basic pay to which he would have
11 been entitled had he remained in the civil service. On re-
12 employment, the agency shall restore his sick leave ac-
13 count, by credit or charge, to its status at the time of
14 transfer. The period of separation caused by his employ-
15 ment with the international organization and the period
16 necessary to effect reemployment are deemed creditable
17 service for all appropriate civil service employment pur-
18 poses. This subsection does not apply to a congressional
19 employee.”.

20 (b) APPLICATION.—The amendment made by sub-
21 section (a) shall apply with respect transfers which take
22 effect on or after the date of the enactment of this Act.

**CHAPTER 2—UNITED NATIONS AND
RELATED AGENCIES**

**SEC. 521. REFORM IN BUDGET DECISIONMAKING PROCE-
DURES OF THE UNITED NATIONS AND ITS
SPECIALIZED AGENCIES.**

(a) ASSESSED CONTRIBUTIONS.—Of amounts authorized to be appropriated for “Assessed Contributions to International Organizations” by this Act, the President may withhold 20 percent of the funds appropriated for the United States assessed contribution to the United Nations or to any of its specialized agencies for any calendar year if the Secretary of State determines that the United Nations or any such agency has failed to implement or to continue to implement consensus-based decisionmaking procedures on budgetary matters which assure that sufficient attention is paid to the views of the United States and other member states that are the major financial contributors to such assessed budgets.

(b) NOTICE TO CONGRESS.—The President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution to the United Nations or its specialized agencies pursuant to subsection (a) and shall notify the Congress when the decision is made to pay any previously withheld assessed contribution. A notification under this subsection shall include

1 appropriate consultation between the President (or the
 2 President’s representative) and the Committee on Inter-
 3 national Relations of the House of Representatives and
 4 the Committee on Foreign Relations of the Senate.

5 (c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to
 6 the availability of appropriations, payment of assessed
 7 contributions for prior years may be made to the United
 8 Nations or any of its specialized agencies notwithstanding
 9 subsection (a) if such payment would further United
 10 States interests in that organization.

11 (d) REPORT TO CONGRESS.—Not later than Feb-
 12 ruary 1 of each year, the President shall submit to the
 13 appropriate congressional committees a report concerning
 14 the amount of United States assessed contributions paid
 15 to the United Nations and each of its specialized agencies
 16 during the preceding calendar year.

17 **TITLE VI—ARMS CONTROL AND** 18 **DISARMAMENT AGENCY**

19 **SEC. 601. COMPREHENSIVE COMPILATION OF ARMS CON-** 20 **TROL AND DISARMAMENT STUDIES.**

21 Section 39 of the Arms Control and Disarmament
 22 Act (22 U.S.C. 2579) is repealed.

23 **SEC. 602. USE OF FUNDS.**

24 Section 48 of the Arms Control and Disarmament
 25 Act (22 U.S.C. 2588) is amended by striking “section 11

1 of the Act of March 1, 1919 (44 U.S.C. 111)” and insert-
2 ing “any other Act”.

3 **TITLE VII—FOREIGN POLICY**
4 **PROVISIONS**

5 **SEC. 701. UNITED STATES POLICY REGARDING THE INVOL-**
6 **UNTARY RETURN OF REFUGEES.**

7 (a) IN GENERAL.—No funds authorized to be appro-
8 priated by this Act shall be available to effect the involun-
9 tary return of any person to a country in which the person
10 has a well founded fear of persecution on account of race,
11 religion, nationality, membership in a particular social
12 group, or political opinion.

13 (b) MIGRATION AND REFUGEE ASSISTANCE.—No
14 funds authorized by section 104 of this Act or by section
15 2(c) of the Migration and Refugee Assistance Act of 1962
16 (22 U.S.C. 2601(c)) shall be available to effect the invol-
17 untary return of any person to any country.

18 (c) INVOLUNTARY RETURN DEFINED.—As used in
19 this section, the term “to effect the involuntary return”
20 means to take action by which it is reasonably foreseeable
21 that a person will be required to return to a country
22 against the person’s will, regardless of whether such re-
23 turn is induced by physical force and regardless of whether
24 the person is physically present in the United States.

1 **SEC. 702. UNITED STATES POLICY WITH RESPECT TO THE**
2 **INVOLUNTARY RETURN OF PERSONS IN DAN-**
3 **GER OF SUBJECTION TO TORTURE.**

4 (a) IN GENERAL.—The United States shall not expel,
5 extradite, or otherwise effect the involuntary return of any
6 person to a country in which there are reasonable grounds
7 for believing the person would be in danger of subjection
8 to torture.

9 (b) DEFINITIONS.—

10 (1) IN GENERAL.—Except as otherwise pro-
11 vided, terms used in this section have the meanings
12 given such terms under the United Nations Conven-
13 tion Against Torture and Other Cruel, Inhuman or
14 Degrading Treatment or Punishment, subject to any
15 reservations, understandings, declarations, and pro-
16 visos contained in the United States resolution of
17 advice and consent to ratification to such conven-
18 tion.

19 (2) INVOLUNTARY RETURN.—As used in this
20 section, the term “effect the involuntary return”
21 means to take action by which it is reasonably fore-
22 seeable that a person will be required to return to
23 a country against the person’s will, regardless of
24 whether such return is induced by physical force and
25 regardless of whether the person is physically
26 present in the United States.

1 **SEC. 703. REPORTS ON CLAIMS BY UNITED STATES FIRMS**
2 **AGAINST THE GOVERNMENT OF SAUDI ARA-**
3 **BIA.**

4 (a) IN GENERAL.—Within 60 days after the date of
5 the enactment of this Act and every 120 days thereafter,
6 the Secretary of State, in coordination with the Secretary
7 of Defense and the Secretary of Commerce, shall report
8 to the appropriate congressional committees on specific ac-
9 tions taken by the Department of State, the Department
10 of Defense, and the Department of Commerce toward
11 progress in resolving the commercial disputes between
12 United States firms and the Government of Saudi Arabia
13 that are described in the June 30, 1993, report by the
14 Secretary of Defense pursuant to section 9140(c) of the
15 Department of Defense Appropriations Act, 1993 (Public
16 Law 102–396), including the additional claims noticed by
17 the Department of Commerce on page 2 of that report.

18 (b) TERMINATION.—Subsection (a) shall cease to
19 have effect when the Secretary of State, in coordination
20 with the Secretary of Defense and the Secretary of Com-
21 merce, certifies in writing to the appropriate congressional
22 committees that the commercial disputes referred to in
23 subsection (a) have been resolved satisfactorily.

1 **SEC. 704. HUMAN RIGHTS REPORTS.**

2 Section 116(d) of the Foreign Assistance Act of 1961
3 (22 U.S.C. 2151n) is amended by striking “January 31”
4 and inserting “February 15”.

5 **SEC. 705. PROHIBITION ON FUNDING FOR COERCIVE POPU-**
6 **LATION CONTROL METHODS.**

7 (a) LIMITATION.—Notwithstanding any other provi-
8 sion of law or of this Act, none of the funds authorized
9 to be appropriated by this Act are authorized to be avail-
10 able for the United Nations Population Fund (UNFPA),
11 unless the President certifies to the appropriate congres-
12 sional committees that (1) the United Nations Population
13 Fund has terminated all activities in the People’s Republic
14 of China; or (2) during the 12 months preceding such cer-
15 tification there have been no abortions as the result of co-
16 ercion associated with the family planning policies of the
17 national government or other governmental entities within
18 the People’s Republic of China.

19 (b) USE OF TERM “COERCION”.—As used in this
20 section the term “coercion” includes physical duress or
21 abuse, destruction or confiscation of property, loss of
22 means of livelihood, or severe psychological pressure.

23 **SEC. 706. REPORTS AND POLICY CONCERNING DIPLOMATIC**
24 **IMMUNITY.**

25 (a) ANNUAL REPORT CONCERNING DIPLOMATIC IM-
26 MUNITY.—

1 (1) REPORT TO CONGRESS.—The Secretary of
2 State shall prepare and submit to the Congress, an-
3 nually, a report concerning diplomatic immunity en-
4 titled “Report on Cases Involving Diplomatic Immu-
5 nity”.

6 (2) CONTENT OF REPORT.—In addition to such
7 other information as the Secretary of State may con-
8 sider appropriate, the report under paragraph (1)
9 shall include the following:

10 (A) The number of persons residing in the
11 United States entitled to immunity from the
12 criminal jurisdiction of the United States under
13 laws extending diplomatic privileges and immu-
14 nities.

15 (B) Each case involving an alien entitled to
16 immunity as described in subparagraph (A) in
17 which the appropriate authorities of the United
18 States had reasonable cause to believe the alien
19 committed a serious criminal offense within the
20 United States which was not subject to the
21 criminal jurisdiction of the United States.

22 (C) Each case in which the United States
23 has certified that a person is entitled to immu-
24 nity from the criminal jurisdiction of the United

1 States under laws extending diplomatic privi-
2 leges and immunities.

3 (D) The number of United States citizens
4 who are residing in a receiving state and who
5 are entitled to immunity from the criminal ju-
6 risdiction of such state under laws extending
7 diplomatic privileges and immunities.

8 (E) Each case involving a United States
9 citizen under subparagraph (D) in which the
10 United States has been requested by the gov-
11 ernment of a receiving state to waive the immu-
12 nity from criminal jurisdiction of the United
13 States citizen.

14 (3) SERIOUS CRIMINAL OFFENSE DEFINED.—
15 The term “serious criminal offense” means—

16 (A)(i) any felony under Federal, State, or
17 local law; and

18 (ii) any Federal, State, or local offense
19 punishable by a term of imprisonment of more
20 than 1 year ;

21 (B) any crime of violence as defined for
22 purposes of section 16 of title 18, United States
23 Code; and

1 (C) driving under the influence of alcohol
2 or drugs or driving while intoxicated if the case
3 involves personal injury to another individual.

4 (b) UNITED STATES POLICY CONCERNING REFORM
5 OF DIPLOMATIC IMMUNITY.—It is the sense of the Con-
6 gress that the Secretary of State should explore, in appro-
7 priate fora, whether states should enter into agreements
8 and adopt legislation—

9 (1) to provide jurisdiction in the sending state
10 to prosecute crimes committed in the receiving state
11 by persons entitled to immunity from criminal juris-
12 diction under laws extending diplomatic privileges
13 and immunities; and

14 (2) to provide that where there is probable
15 cause to believe that an individual who is entitled to
16 immunity from the criminal jurisdiction of the re-
17 ceiving state under laws extending diplomatic privi-
18 leges and immunities committed a serious crime, the
19 sending state will waive such immunity or the send-
20 ing state will prosecute such individual.

21 **SEC. 707. CONGRESSIONAL STATEMENT WITH RESPECT TO**
22 **EFFICIENCY IN THE CONDUCT OF FOREIGN**
23 **POLICY.**

24 It is the sense of the Congress that the Secretary,
25 after consultation with the appropriate congressional com-

1 mittees, should submit a plan to the Congress to consoli-
2 date some or all of the functions currently performed by
3 the Department of State, the agency for International De-
4 velopment, and the Arms Control and Disarmament Agen-
5 cy, in order to increase efficiency and accountability in the
6 conduct of the foreign policy of the United States.

